



One Penn Plaza  
Suite 2430  
New York, NY 10119  
T 212.239.1114  
F 917.398.1217

**DANIEL KNOX**  
Managing Attorney  
dknox@knoxlaw.nyc

February 5, 2019

**VIA ECF**

The Honorable Naomi Reice Buchwald  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Treasure Chest Themed Value Mail, Inc. v. David Morris Intl., Inc.*  
1:17-cv-00001-NRB (S.D.N.Y.)

Dear Judge Buchwald:

This letter is respectfully submitted in opposition to Defendant's request for a pre-motion conference concerning Defendant's contemplated motion to disqualify me as counsel for Plaintiff.

Frankly, the contemplated motion would be frivolous and an unnecessary drain on the resources of both the Court and the Plaintiff. The underlying case has been disposed, after trial, and judgment rendered in favor of the Plaintiff. Accordingly, there are no proceedings from which to disqualify me. To the extent that Defendant seeks to disqualify me from representing the Plaintiff in the pending appeal, the contemplated motion should be directed to the Second Circuit Court of Appeals.

Should this Court decide to entertain Defendant's motion, I only ask that I be permitted to seek monetary sanctions against Defendant and its counsel when I prevail.

Very truly yours,

/s/

Daniel Knox

cc: all counsel by CM/ECF